Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

SUPPLEMENTS

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday, 1st May 1984 / 11th Vaisakha 1906 (Saka) [No. 18

PART I

CONTENTS

GOVERNMENT OF KERALA

Abstract

GENERAL EDUCATION—OPENING OF UNAIDED RECOGNISED SCHOOLS (UPGRADING AND NEW) DURING 1984-85—SANCTIONED

GENERAL EDUCATION (F) DEPARTMENT

G. O. (MS) No. 71/84/G. Edn. *Dated, Trivandrum, 12th April* 1984.

Read :—1. Notification No. NS (1) 95110/83 dated 20-8-1983 of the Director of Public Instruction.
2. Notification No. NS (1) 95110/83 dated 28-12-1983 of the Director of Public Instruction (No. 1538).
3. Notification No. NS (1) 95110/83 dated 28-12-1983 of the Director of Public Instruction (No. 1539).
4. D.O. Letter No. NS (1) 95110/83 dated 8-3-1984 from the Director of Public Instruction.
5. G. O. (MS) No. 47/84/G. Edn. dated 19-3-1984.

ORDER

In exercise of the powers concerned on him under sub-rule (2) of Rule 2, Chapter V of K.E.Rs. the Director of Public Instruction in his notification read as first paper above, published, as Gazette Extraordinary Vol. XXVIII No. 911, dated 20-8-1983 the preliminary list of areas where various categories

of unaided recognised schools are to be opened/upgraded. He also called for objections or representations against the proposed list in the manner prescribed. He then published as Gazette Extraordinary Vol. XXVIII No. 1538 dated 28-12-1983 his notification read as second paper above, containing the final list of areas requiring unaided recognised schools of different grades. He also in his notification read as third paper above, published as Gazette Extraordinary Vol. XXVIII No. 1539 dated 28-12-1983 invited applications for opening new schools and upgrading existing schools in the areas notified in the prescribed manner. The applications so received through the Educational Officers concerned were considered by the Director of Public Instruction and forwarded to Government with his recommendations thereon, in accordance with the provisions in rule 2A, Chapter V of K.E.Rs. Government have considered the said applications in the light of the reports of the Educational Officers concerned and the recommendations of the Director of Public Instruction and other relevant factors and have issued orders for opening/upgrading 69 schools as per the G.O. read as fifth paper above during the academic year 1984-85. Government after considering the applications, received for opening/upgradation of the schools in the remaining areas in the final list dated 28-12-1983, in the light of the reports of the Educational Officers concerned and the recommendations of the Director of Public Instruction and other relevant factors and have decided that permission may be given for opening new schools and upgrading the existing schools as detailed in the list appended.

(2) The schools will be permitted to be opened during the academic year 1984-85.

(3) In the case of L. P. Schools, Standard I will be permitted during 1984-85. Where L.P. Schools having Standard I to IV are ordered to be upgraded and in the case of new U. P. Schools, only Standard V will be permitted to be opened during 1984-85. However in the case of L.P. Schools having Standards I to V and which have been ordered to be upgraded Standard VI will be permitted to be opened during 1984-85. In respect of new and upgraded High Schools, only Standard VIII will be permitted during 1984-85. In all the categories of schools specified above, only one division each will be allowed.

(4) For L.P. Schools and U.P. Schools without L.P. Section, the educational agencies must provide one acre of land, for U.P. School with L. P. Section 1.5 acres of land and for High Schools with or without primary Section 3 acres of land.

(5) The applicants for opening/upgradation of the schools shall give an undertakings as provided under Note (V) to Rule 11, Chapter V of K.E.Rs.

Orders on the applications for opening/upgradation of schools in the remaining areas in the final list will be issued separately after further detailed examinations.

By order of the Governor,
S. K. SARADAMMA,
Under Secretary to Government.

Annexure—I

UNAIDED SCHOOLS

Sl. No.	Place	Name and address of the applicant	Name of School	New/Upgradation/ Section	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
		HIGH SCHOOLS			
Ottappalam Educational District :					
1.	Kanniyampuram (Ward 7, Ottappalam Panchayat)	Administrator, Seventh day Adventist Hospital, Ottappalam-4	Seventh day Adventist High School, Kanniampuram	New	
Wynad Educational District:					
2.	Kalpetta Ward 4, Kalpetta Panchayat	General Manager & Inspector, N.S.S. Schools, Perunnai, Changanacherry	N.S.S. English Medium High School, Kalpetta	Upgrading	

(1)	(2)	(3)	(4)	(5)	(6)
Kozhikode Educational District:					
3.	Ward 33, Kozhikode Corporation	Fr. Sebastian Poonolly, Amalapuri, Near 4th Railway gate, Kozhikode-1	Silver Hills High School, Paroppady	New	Subject to demarcation of separate site for the school
4.	Ward 28, Kozhikode Corporation	Sr. Silvia Adathil, Corporate Society of the Presentation Sisters, Chevayur, Kozhikode-17	Presentation High Schools Chevayur	New	Subject to demarcation of separate site for the schoool
Alwaye Educational District:					
5.	Puthencruz (Ward 9, Thiruvaniyoor Panchayat)	Thomas Mar Dionysius Metropolitan, St. Thomas Mission Centre, Mar Elias Chapel, Puthencruz-682 308	Mar Athanasious Memorial High School, Puthencruz	Upgrading	
Ernakulam Educational District:					
6.	Perumpally (Ward 4, Mulanthuruthy Panchayat)	Most Rev. Geevarghese, Mar Gregoriose Metropolitan, St. George's Simhasana, Jacobite Syrian Church, Perumpally P.O., Perumpally via Mulanthuruthy	Hail Mary English Medium High School, Perumpally	New	

Moovattupuzha Educational District:					
7.	Piravam (Ward 5, Piravam Panchayat)	Mother Superior, (Manager), Carmelite Convent, Piravam	Fatima Matha English Medium High School, Piravam	New	
Kothamangalam Educational District:					
8.	Kuthukuzhy (Ward 9, Kothamangalam Municipality)	Manager, Sobhana English Medium School, Kuthukuzhi P.O., Kothamangalam	Sobhana English Medium High School, Kuthukuzhy	Upgrading	
Kattappana Educational District:					
9.	Kattappana (Ward 1, Kattappana Panchayat)	Vicar, St. George's Forane Church, Kattappana	Ossanam English Medium High School, Kattappana	New	
Kanjirappally Educational District:					
10.	Kunnumbhagom (Ward 4, Chirakkadavu Panchayat)	Mother Provincial, Adoration Congregation, Adoration Convent, Ponkunnam	St. Joseph's English Medium Girls High School, Kunnumbhagom	Upgrading	
Mavelikara Educational District:					
11.	Pullamplavu (Ward 8, Mavelikara Municipality)	Manager, Seventh Day Adventist Educational Agency of Schools, Kowdiar, Trivandrum	Seventh Day Adventist High School, Pullamplavu	New	ubject to fulfilment of condition regarding site before starting classes

(1)	(2)	(3)	(4)	(5)	(6)
Trivandrum Educational District:					
12.	Ward 36, Trivandrum Corporation	General Manager and Inspector of N.S.S. Schools, Perunnai, Changanacherry	N.S.S. High School, Perunthanni	ew	Subject to demarcation of the area before starting the H.S. classes
Attingal Educational District:					
13.	Ward 7, Nedumangad Municipality	President, Manarul Huda Trust, Emka Manzil, Kallathu Mukku, Manacad, Trivandrum	Manarul Huda English Medium Residential High School, Nedumangad	New	
14.	Ward 20, Attingal Municipality	Chairman, Navabharath Vignan Trust, Attingal	Navabharath High School, Valiyakunnu, Attingal	New	

Annexure—2

U. P. SCHOOLS

(1)	(2)	(3)	(4)	(5)	(6)
Malappuram Educational District :					
1.	Karuvarakundu (Ward 4, Karuvarakundu Panchayat)	M. Narayanan, Manager, Little Flower English Medium School, Taris P. O., Karuvarakundu	Little Flower English Medium U.P. School, Karuvarakundu	New	

Kozhikode Educational District :

2.	Ward 33, Kozhikode Corporation	Fr. Sebastian Poonelly, Amalapuri, Near 4th Railway Gate, Kozhikode-1	Silver Hills U.P. School, Paroppady,	New	Subject to demarcation of land before starting the school
3.	Ward 28, Kozhikode Corporation	Sr. Silvia Adathil, Corporate Society of the Presentation Sisters, Chevayur, Kozhikode-17	Presentation U. P. School, Chevayur	New	Subject to demarcation of the land for the new school before starting classes
4.	Ward 27, Kozhikode Corporation	President, Chinmaya Vidyalaya, Mavoor Road, Kozhikode	Chinmaya Vidyalaya, U. P. School	New	Subject to the condition that the Management will make available additional land in Ward No. 27 if the additional site already offerred is not adjacent to the first one

Ottappalam Educational District :

5.	Ward 1, Ottappalam Panchayat	President, N.S.S. Taluk Union, Ottappalam	Mannam memorial, N. S. S. English Medium U. P. School, Ottappalam	New	

(1)	(2)	(3)	(4)	(5)	(6)
Trichur Educational District :					
6.	Ward 3, Ongalloor Panchayat	President, C.G.M. English Medium School, Charitable Trust, Pattambi	G. Gopalan Memorial English Medium U. P. School, Ongalloor	New	
Alwaye Educational District :					
7.	Vazhakkakuzhy (Ward 9 Alwaye Municipality)	Manager, St. John the Baptist's C.S.I. English Medium L. P. School, Ward IX, Vazhakkakuzhy, Alwaye	St. John the Baptist's C. S. I. English Medium U.P. School, Vazhakkakuzhy, Alwaye	Upgrading	
8.	Ward 5, Nedumpassery Panchayat	Vicar, St. Francis, Assissi Church, Athani	St. Francis Assisi U. P. School, Athani	New	Provided the management will fulfil the condition regarding requirement of land before starting the school
Ernakulam Educational District :					
9.	Nayarambalam (Ward 6 Kadungassery Panchayat)	K. G. Madhavan Pillai, Kannanganatt House, Narakkal P. O., Ernakulam District	Lobelia English Medium U.P. School, Nayarambalam	New	

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No.	Place	Manager	School	Nature
10.	Perumpally (Ward 4 Mulanthuruthy Panchayat)	Most Rev. Gheevarghese, Metropolitan, St. George's Simhasana Jacobite Syrian Church, Perumpally, via Mulanthuruthy	Hail Mary English Medium U. P. School. Perumpally	New
Moovattupuzha Educational District :				
11.	Piravom (Ward 5 Piravom Panchay-at)	Mother Superior (Manager) Carmelite Convent, Piravom	Fathima Matha English Medium U. P. School, Piravom	Upgrad-ing
Mavelikkara Educational District :				
12.	Pullanplavu, (Ward 8 Mavelikara Municipality)	Manager, Seventh day Adventist Educational Agency of Schools, Kowdiar, Trivandrum	Seventh day Adventist U. P. School, Pullanplavu	New
Thiruvalla Educational District :				
13.	Neerattupuram Ward I Thalavady Panchayat	Vicar, Thalavady, Padinjarekkara, Mar Thoma Church, Neerattupuram	St. Thomas U. P. School, Neerattupuram	New
Kattappana Educational District :				
14.	Attappallam	Manager, St. Thomas English Medium L.P.S., Attappallam	St. Thomas English Medium U. P. School, Attappallam	Upgrad-ing

(1)	(2)	(3)	(4)	(5)	(6)
Attingal Educational District :					
15.	Manthara (Ward 9, Edava Panchayat)	K. Govindan, Anandavilasam, Edava-P. O.	Little Flower English Medium U. P. School, Manthara	New	Subject to the condition that the land required will be made available before the classes are started
16.	Ward 7, Nedumangad Municipality	President, Manarul Huda Trust, Emka Manzil, Kallathumukku. Manacaud, Trivandrum	U. P. Section of Manarul Huda English Medium Residential H.S., Nedumangad	U.P. Section	
17.	Valiyakunnu (Ward 20 Attingal Municipality)	Chairman, Navabharath Vignan Trust, Attingal	U. P. Section of Navabharath High School, Valiyakunnu, Attingal	U.P. Section	
Trivandrum Educational District :					
18.	Vadakkumbhagom (Ward 4, Kazhakoottam Panchayat)	S. Subair, Trustee Abdul Razzaq Memorial Charitable Trust, Simi Gardens, Kazhakoottam, Trivandrum	Al-Uthuman English Medium Residential U. P. School, Vadekkumbhagom Kazhakoottam	New	

Kottarakkara Educational District :

19.	Chempenaruvi (Piravanthur Panchayat)	Most Rev. Benedict, Mar Gregorios, Arch Bishop of Trivandrum, Trivandrum	St. Paul's M.S.C.U.P. School, Chempenaruvi	New	Subject to fulment of conditions regarding site
20.	Sadanandapuram, (Vettikavala Panchayat)	Chairman, Sadananda Educational Society (Regd.) Sadanandapuram, P.O.	Sadananda Residential U. P. School, Sadanandapuram	New	

Annexure—3

(1)	(2)	(3)	(4)	(5)	(6)
		L. P. SCHOOLS			
	Kasaragod Educational District				
1.	Vidyanagar (Kasaragode Municipality)	The Patron, Central Chinmaya Mission, Trust, Kasaragod Branch, Kasaragod	Chinmaya Vidyalaya English Medium L. P. School, Vidhyanagar	New	
2.	Padne Thekkepuram	The Manager, Islamic Centre Trust, Padne, Cheruvathur	Islamic Centre Trust, L. P. School, Padne, Thekkepuram	New	

(1)	(2)	(3)	(4)	(5)	(6)
Ottappalam Educational District					
3.	Kumaranellur (Ward 4, Kappur Panchayat)	Secretary, Islamiya Arabic College and Orphanage Committee (Regd.) P. O. Angadi, via Kumaranellur	Islamiya Orphanage L. P. School, Kumaranellur	New	
Palghat Educational District					
4.	Nurani (Ward 18 Palghat Municipality)	Secretary, Brahmin Education Society, Sastha Kalyana Mandapam, Nurani, Palghat-4	B. E. S. English Medium L. P. School, Nurani	New	
5.	Kollengode (Ward 6 Kollengode Panchayat)	Sri. Sudha Paul, Manager, St. Paul's English School, Kollengode	St. Paul's English L. P. School, Kollengode	New	
6.	Krishnapuram Road (Nemmara Panchayat)	Mother General, Maria Bhavan Convent, Kolazhy	St. Rita's English Medium L. P. School, Krishnapuram Road	New	
Ernakulam Educational District					
7.	Chirakkal (Cochin Corporation)	Superior General, Holy Angel's Convent, Trivandrum	St. Aloysius Convent, English Medium L. P. School, Chirakkal	New	

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No.	Place	Applicant	School	Type	Remarks
Kottarakkara Educational District					
8.	Kalayapuram (Ward 4 Kulakkada Panchayat)	Mother Provincial, Bethany Convent, Nalanchira	L. P. Section of St. Teressas U. P. School, Kalayapuram	L. P. Section	
Pathanamthitta Educational District					
9.	Edathara (Ward 2 Kalanjoor Panchayat)	Rev. Fr. V. T. Thomas, Vayalirakkathu Edathara, Kalanjoor P. O.	L. P. Section of St. Thomas U. P. School, Edathara	L. P. Section	
Thiruvalla Educational District					
10.	Neerattupuram (Ward 1 Thalavady Panchayat)	Vicar, Thalavady, Padinjarekkara Mar Thoma Church, Neerattupuram	St. Thomas L. P. School, Neerattupuram	New	
Quilon Educational District					
11.	Kaithakuzhy (Ward 2 Adichanalloor Panchayat)	Manager, Nehru Memorial English Medium High School, Kaithakuzhy	L. P. Section of Nehru Memorial English Medium High School, Kaithakuzhy	L. P. Section	
12.	Ward 8 Chathannur Panchayat	Vicar, Christhos Mar Thoma Church, Chathannoor	Christhos Mar Thoma L. P. School, Chathannoor	New	
13.	Thekkevila (Ward 2 Eravipuram Panchayat)	K. Neelakanta Sastrikal, Vijnana Bhavan, Thekkevila P. O., Eravipuram	Vijnana Bhavan English Medium L. P. School, Thekkevila	New	Subject to fulfilment of condition regarding site.

(1)	(2)	(3)	(4)	(5)	(6)
14.	Kozhikode (Ward 7 Karunagappally Panchayat)	President and Vicar, Mar Thomas Educational Society, C/o Mar Thoma Church, S. V. Market P. O., Karunagappally	Mar Thoma L. P. School, Kozhikode, Karunagappally	New	Subject to fulfilment of condition regarding site before starting classes.
Trivandrum Educational District					
15.	Kowdiar Ward 4, Trivandrum Corporation	Daughters of St. Francis De Sales, St. Joseph's Convent, Kowdiar P. O., Trivandrum-3	St. Shantal English Medium L. P. School, Kowdiar	New	
16.	Anchamada, Trivandrum Corporation	Manager, SDA. Mission Office, Kowdiar, Kuravankonam, Trivandrum	S. D. A. English L. P. School, Anchamada	New	Subject to demarcation of adequate land for the school.

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 2262-1/Leg.Pbn.2/84/Law. *Dated, Trivandrum, 21st February, 1984.*

The following Ordinance promulgated by the President and published in a Gazette of India Extraordinary, Part II, Section 1, dated the 28th January, 1984 is hereby republished for general information.

By order of the Governor,
K. SREEDHARAN,
Law Secretary.

THE GANESH FLOUR MILLS (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ORDINANCE, 1984

No. 2 OF 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India

An Ordinance to provide for the acquisition and transfer of the right, title and interest of certain undertakings of the Ganesh Flour Mills Company with a view to sustaining and strengthening the nucleus of public owned or controlled units required for ensuring supply of wholesome vanaspati and refined edible oils, nutritious foods and other consumer commodities to the public at reasonable prices and thereby to give effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of article 39 of the Constitution

Whereas the Ganesh Flour Mills Company Limited has through the Ganesh Flour Mills been engaged mainly in the manufacture and production of certain commodities namely, vanaspati, refined edible oils, various types of nutritious foods and other consumer commodities which are essential to the needs of the community;

And whereas the management of the said Ganesh Flour Mills was taken over by the Central Government under the Industries (Development Regulation) Act, 1951 (65 of 1951);

And whereas it is necessary to acquire the undertakings of the Ganesh Flour Mills Company Limited in relation to the Ganesh Flour Mills for sustaining and strengthening the nucleus of public owned or controlled units required for ensuring supply of wholesome vanaspati, refined edible oils, various types of nutritious foods and other consumer commodities to the public at reasonable prices;

And whereas such acquisition is for giving effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of article 39 of the Constitution;

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement*.—(1) This Ordinance may be called the Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984.

(2) It shall come into force at once

2. *Definitions*.—In this Ordinance, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Ordinance comes into force

(b) "Commissioner" means the Commissioner of Payments appointed under section 14;

(c) "Company" means the Ganesh Flour Mills Company Limited, Delhi, a company within the meaning of the Companies Act, 1956 (1 of 1956) and having its registered office at Subzi Mandi, Delhi

(d) "date of taking over" means the date on which the management of the Ganesh Flour Mills of the Compay was taken over by the Board of Management by virtue of the Order of the Government of India in the late Ministry of Industrial Development No. S. O. 695(E)/18AA/IDRA/72, dated the 3rd November, 1972 made under subsection (1) of section 18AA of the Industries (Development and Regulation) Act, 1951 (65 of 1951);

(e) "Ganesh Flour Mills" means —

(i) the Delhi Vanaspati Factory, Delhi;

(ii) the Hindustan Breakfast Food Manufacturing Factory, New Delhi, including the Ganesh Electrical Factory, New Delhi

which is interlinked with it by reason of its location, common services and infrastructure;

(iii) the Kanpur Vanaspati Factory, Kanpur; and

(iv) the Solvent Extraction Plant, Bombay,

(f) "notification" means a notification published in the Official Gazette;

(g) "prescribed" means prescribed by rules made under this Ordinance;

(h) "specified date", in relation to any provision of this Ordinance, means such date as the Central Government may, by notification, specify, for the purpose of that provision and different dates may be specified for different provisions of this Ordinance;

(i) "the Government company" means the Government company in which the Ganesh Flour Mills are directed to vest under subsection (1) of section 5,

(j) words and expressions used herein and not defined but defined in the Companies Act, 1956 (1 of 1956), have the meanings, respectively assigned to them in that Act.

CHAPTER II

ACQUISITION AND TRANSFER OF GANESH FLOUR MILLS

3. *Transfer to, and vesting in, the Central Government of Ganesh Flour Mills.*—On the appointed day, the Ganesh Flour Mills and the right, title and interest of the Ganesh Flour Mills Company Limited in relation to the Ganesh Flour Mill, shall, by virtue of this Ordinance, stand transferred to, and shall vest in, the Central Government.

4. *General effect of vesting.*—(1) The Ganesh Flour Mills shall be deemed to include all assets, rights, lease-holds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, workshops, stores, instruments, machinery and equipment, cash balances, cash on hand, reserve funds, investments and book debts pertaining to the Ganesh Flour Mills and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession, power of control of the Company in relation to the Ganesh Flour Mills, whether within or outside India, and all books of account, registers and other documents of whatever nature relating thereto.

(2) All properties as aforesaid which have vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other incumbrances affecting them, and any attachment, injunction or decree or order of any court or other authority, restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall be deemed to have been withdrawn.

(3) Every mortgagee of any property which has vested under this Ordinance in the Central Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in subsection (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interests, payment of the mortgage money or other dues, in whole or in part, out of amounts, specified in section 7, but no such mortgage, charge, lien or other interest shall be enforceable against any property which has vested in the Central Government.

(5) Any licence or other instrument granted to the Company in relation to the Ganesh Flour Mills which has vested in the Central Government under section 3 at any time before the appointed day and in force immeditely before that day shall continue to be in force on and after such day in accordance with its tenor in relation to, and for the purposes of, the Ganesh Flour Mills and, on and from the date of vesting of the Ganesh Flour Mills under section 5 in a Government company, that Government company shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to that Government company and that Government company shall hold it for the remainder of the period for which the Company to which it was granted would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature instituted or preferred by or against the Company, in relation to the Ganesh Flour Mills, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the Ganesh Flour Mills or of anything contained in this Ordinance, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the Central Government or, where the Ganesh Flour Mills vest in a Government company under section 5, by or against the Government company.

5. *Power of Central Government to direct vesting of the Ganesh Flour Mills in a Government company.*—(1) Notwithstanding anything contained in sections 3 and 4, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the Ganesh Flour Mills and the right, title and interest of the Company in relation to the Ganesn Flour Mills which have vested in the Central Government under section 3, shall, instead of continuing to vest in the Central Government, vest in that Government company either on the date of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(2) Where the right, title and interest in relation to the Ganesh Flour Mills vest in a Government company under subsection (1), the Government company shall, on and from the date of such vesting, be deemed to have become the owner of the Ganesh Flour Mills and all the rights and liabilities of the Central Government in relation to the Ganesh Flour Mills shall, on and from the date of such vesting, be deemed to have been the rights and liabilities, respectively of the Government company.

6. *The Company to be liable for certain prior liabilities.*—(1) Every liability, other than the liability specified under subsection (2), of the Company in relation to the Ganesh Flour Mills in respect of any period prior to the appointed day shall be the liability of the Company and shall be enforceable against it and not against the Central Government or, where the Mills vest in a Government company, against the Government company.

(2) Any liability in respect of the amount advanced after the date of taking over to the Company in relation to the Ganesh Flour Mills, together with interest due thereon and the wages, salaries and other dues of persons employed in the Ganesh Flour Mills in respect of any period after the date of taking over shall, on and from the appointed day be the liability of the Central Government and shall be discharged by the Central Government or, for and on behalf of that Government, by the Government company as and when repayment of such amount becomes due or as and when such wages, salaries and other dues become due and payable.

(3) For the removal of doubts, it is hereby declared that,—

(a) save as otherwise expressly provided in this section or in any other section of this Ordinance, no liability, other than the liability specified in sub-section (2), of the Company in relation to the Ganesh Flour Mills, in respect of a period prior to the appointed day shall be enforceable against the Central Government or the Government company, as the case may be;

(b) no award, decree or order of any court, tribunal or other authority in relation to the Ganesh Flour Mills, passed after the appointed day, in respect of any matter, claim or dispute in relation to any matter, not being a matter referred to in sub-section (2), which arose before that date shall be enforceable against the Central Government or the Government company, as the case may be;

(c) no liability incurred by the company before the appointed day, for the contravention, in relation to the Ganesh Flour Mills, of any provision of law for the time being in force, shall be enforceable against the Central Government or the Government company, as the case may be.

CHAPTER III

PAYMENT OF AMOUNT

7. *Payment of amount.*—(1) For the transfer to, and vesting in, the Central Government, under section 3, of the Ganesh Flour Mills and the right, title and interest of the company in relation to the Ganesh Flour Mills, there shall be given by the Central Government to the Company in cash and in the manner specified in Chapter VI, an amount equal to a sum of one crore, fifty-seven lakhs and sixty-eight thousand rupees.

(2) In addition to the amount specified in sub-section (1), there shall also be given to the Company by the Central Government an amount calculated at the rate of ten thousand rupees per annum for the deprivation of the Company of the management of the Ganesh Flour Mills for the period commencing on the date of taking over and ending with the appointed day.

(3) The amount specified in sub-section (1) and the amount calculated in accordance with the provisions of sub-section (2) shall carry simple interest at the rate of four percent per annum for the period commencing on the appointed day and ending on the date on which payment of such amount is made by Central Government to the Commissioner.

CHAPTER IV

MANAGEMENT, ETC., OF GANESH FLOUR MILLS

8. *Management etc. of Ganesh Flour Mills.*—(1) On the appointed day, the general superintendence, direction, control and management of the affairs and business of the Ganesh Flour Mills shall,—

(a) where a direction has been made by the Central Government under sub-section (1) of section 5, vest in the Government company specified in such direction; or

(b) where no such direction has been made by the Central Government, vest in one or more Custodians appointed by the Central Government under sub-section (2), and thereupon the Government Company so specified or the Custodian or Custodians so appointed, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the Company is authorised to exercise and do in relation to the Ganesh Flour Mills.

(2) The Central Government may appoint one or more individuals or a Government company as the Custodian or Custodians of the Ganesh Flour Mills in relation to which no direction has been made by it under sub section (1) of section 5.

(3) The Custodian or Custodians so appointed shall receive, from the funds of the Ganesh Flour Mills such remuneration as the Central Government may fix and shall hold office during the pleasure of the Central Government.

(4) The Custodian or custodian of the Ganesh Flour Mills shall maintain an account of the Ganesh Flour Mills in such form and manner and under such conditions, as may be prescribed and the provisions of the Companies Act, 1956 (1 of 1956), shall apply to the audit of the accounts so maintained as they apply to the audit of the accounts of a company.

9. *Duty of persons in charge of management of Ganesh Flour Mills to deliver assets etc*—On the vesting in the Central Government or a Government company of the Ganesh Flour Mills, all persons in charge of the management of the Ganesh Flour Mills, immediately before the date of such meeting, shall be bound to deliver to the Central Government or the Government company or to such person or body of persons as the Central Government or the Government company may specify in this behalf all assets, books of account, registers or other documents in their custody relating to the Ganesh Flour Mills.

10. *Duty of persons to account for assets etc.*—(1) Every person who has, on the appointed day, in his possession or under his control any assets, books, documents or other papers relating to the Ganesh Flour Mills which has vested in the Central Government or a Government company under this ordinance, and which belongs to the Company or would have so belonged if the Ganesh Flour Mills had not vested in the Central Government or the Government company, shall be liable to account for the said assets, books, documents and other papers to the Central Government or the Government company, as the case may be, and shall deliver them up to the Central Government or the Government company or to such person or body of persons as the Central Government or the Government company may specify in this behalf.

(2) The Central Government may take or cause to be taken all necessary steps for securing possession of the Ganesh Flour Mills which has vested in it under section 3.

11. *Duty of the company to furnish particulars*—The Company shall, within such period as the Central Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets as on the appointed day, pertaining to the Ganesh Flour Mills which have vested in the Central Government under section 3, and for this purpose, the Central Government or the Government company shall afford the Company all reasonable facilities.

CHAPTER V

PROVISION RELATING TO EMPLOYEES OF THE GANESH FLOUR MILLS

12. *Continuance of employees*—(1) Every person who has been immediately before the appointed day employed by the Company in connection with the Ganesh Flour Mills shall become,—

(a) on and from the appointed day, an employee of the Central Government: and

(b) where the Ganesh Flour Mills is directed, under sub-section (1) of section 5, to vest in a Government company, an employee of that company on and from the date of such vesting,

and shall hold office or service under the Central Government or the Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other like matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Central Government or the Government company, as the case may be is duly terminated or until his remuneration or other conditions of service are duly altered by the Central Government or the Government company, as the case may be.

(2) Notwithstanding anything contained in the Industrial Disputes Act. 1947(14 of 1947) or in any other law for the time being in force, the transfer of the services of any officer or other person employed in connection with the Ganesh Flour Mills to the Central Government or the Government company shall not entile such officer or other employee to any compensation under this Ordinance or any other law for the the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

13. *Provident fund and other funds.*— (1) Where the Company has established a provident fund, superannuation fund, welfare fund or other fund for the benefit of persons employed in the Company, the monies relatable to the officers and other employees, whose services have become transferred by or under this Ordinance to the Central Government or the Government company shall, out of the monies standing, on the appointed day, to the credit of such provident fund, superannuation fund, welfare fund or other fund, stand transferred to, and vest in, the Central Government or the Goverament company, as the case may be.

(2) The monies which stand transferred under sub-section (1) to the Central Government or the Government company, as the case may be, shall be dealt with by that Government or the Government company in such manner as may be prescribed.

CHAPTER VI

Commissioner of Payments

14. *Appointment of Commissioner of Payments.* (1)—The Central Government shall, for the purpose of disbursing the amounts payable under section 7 to the Company, by notification, appoint a Commissioner of Payment.

(2) The Central Government may appoint such other persons as it may think fit to assist the Commissioner and thereupon the Commissioner may authorise one or more such persons also to exercise all or any of the powers exercisable by him under this Ordinance, and different persons may be authorised to exercise different powers.

(3) Any person authorised by the Commissioner to exercise any of the powers exercisable by the Commissioner may exercise those powers in

the same manner and with the same effect as if they have been conferred on that person directly by this Ordinance and not by way of authorisation.

(4) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of India.

15. *Payment by the Central Government to the Commissioner.*—(1) The Central Government shall, within thirty days from the specified date, pay, in cash, to the Commissioner, for payment to the company an amount equal to the amounts specified in section 7.

(2) A deposit account shall be opened by the Central Government in favour of the Commissioner in the Public Account of India, and every amount paid under this Ordinance to the Commissioner shall be deposited by him to the credit of the said deposit account, and thereafter the said deposit account shall be operated by the Commissioner.

(3) Interest accruing on the amount standing to the credit of the deposit account referred to in sub-section (2) shall enure to the benefit of the Company.

16. *Claims of priorities.*—The claims arising out of matters specified in the Schedule shall have priorities in accordance with the following principles, namely:—

(a) Category I shall have precedence over all other categories and Category II shall have precedence over Category III and so on;

(b) the claims specified in each of the categories, shall rank equally and be paid in full, but, if the amount is insufficient to meet such claims in full, they shall abate in equal proportion and be paid accordingly; and

(c) the question of discharging any liability with regard to a matter specified in lower category shall arise only if a surplus is left after meeting all the liabilities specified in the immediately higher category.

17. *Claims to be made to the Commissioner.*—Every person having a claim against the Company in relation to the Ganesh Flour Mills shall perfer such claim before the Commissioner within thirty days from the specified date:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may entertain the claim within a further period of thirty days, but not thereafter.

18. *Proof of claims.*—(1) The Commissioner shall fix a date on or before which every claimant shall file the proof of his claim failing which he will be excluded from the benefit of the disbursements made by the Commissioner.

(2) Not less than fourteen days' notice of the date so fixed shall be given by advertisement in one issue of any daily newspaper in the English language having circulation in the major part of the country and in one issue of any daily newspaper in such regional language as the Commissioner

may consider suitable, and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the period specified in the advertisement.

(3) Every claiment who fails to file the proof of his claim within the period specified by the Commissioner shall be excluded from the disbursements made by the Commissioner.

(4) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the Company an opportunity of refuting the claim and after giving the claimant a reasonable opportunity of being heard, by order, in writing, admit or reject the claim in whole or in part.

(5) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions, including the place or places at which he will hold his sittings and shall, for the purpose of making any investigation under this Ordinance, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit, in respect of the following matters, namely:—

(a) the summoning and enforcing the attendance of any witness and examining him on oath ;

(b) the discovery any production of any document or other material object producible as evidence ;

(c) the reception of evidence on affidavits ;

(d) the issuing of any commission for the examination of witnesses.

(6) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code (45 of 1860) and the Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(7) A claimant, who is dissatisfied with the decision of the Commissioner, may prefer an appeal against the decision to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the registered office of the Company is situated:

Provided that where a person who is a Judge of a High Court is appointed to be the Commissioner, such appeal shall lie to the High Court of Delhi and such appeal shall be heard and disposed of by not less than two Judges of that High Court.

19. *Disbursement of money by the Commissioner to claimants.*—(1) After admiting a claim under this Ordinance, the amount due in respect of such claim shall be paid by the Commissioner to the person or persons to whom such sums are due and on such payment, the liability of the Company in respect of such claim shall stand discharged.

(2) If, out of the monies paid to him in relation to the undertakings of the Company, there is a balance left after meeting the liabilities as specified in the Schedule, the Commissioner shall disburse such balance to the Company.

20. *Undisbursed or unclaimed amount to be deposited to the general revenue account.*—Any money paid to the Commissioner which remains undisbursed or unclaimed on the date immediately preceding the date on which the Office of the Commissioner is finally wound up, shall be paid by the Commissioner, before his office is finally wound up, to the general revenue account of the Central Government; but a claim to any money so transferred may be preferred to the Central Government by the person entitled to such payment and shall be dealt with as if such transfer had not been made, and the order if any, for payment of the claim being treated as an order for the refund of the revenue.

CHAPTER VII

Miscellaneous

21. *Ordinance to have overriding effect.*—The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law, other than this Ordinance, or in any decree or order of any court, tribunal or other authority.

22. *Contracts to cease to have effect unless ratified by the Central Government or Government company.*—Every contract, entered into by the Company in relation to the Ganesh Flour Mills which has vested in the Central Government under section 3, for any service, sale or supply and in force immediately before the appointed day, shall, on and from the expiry of a period of thirty days from the appointed day, cease to have effect unless such contract is, before the expiry of that period, ratified, in writing, by the Central Government or the Government company and in ratifying such contract the Central Government or the Government company may make such alteration or modification therein as it may think fit :

Provided that the Central Government or the Government company shall not omit to ratify a contract and shall not make any alteration or modification in a contract—

(a) unless, it is satisfied that such contract is unduly onerous or has been entered into in bad faith or is detrimental to the interest of the Central Government or the Government company; and

(b) except after giving the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons, for refusal to ratify the contract or for making any alteration or modification therein.

23. *Penalties.*—Any person who.—

(a) having in his possession, custody or control any *property* forming part of the Ganesh Flour Mills, wrongfully withholds such *property* from the Central Government or the Government company ; or

(b) wrongfully obtains possession of, or retains, any property forming part of, the Ganesh Flour Mills ; or

(c) wilfully withholds or fails to furnish to the Central Government or the Government company or any person or body of persons specified by that Government or the Government company, as the case may be, any document relating to the Ganesh Flour Mills which may be in his possession, custody or control ; or

(d) wilfully fails to deliver to the Central Government any inventory of property and assets forming part of the Ganesh Flour Mills ; or

(e) fails to deliver to the Central Government or the Government company, or any person or body of persons specified by that Government or the Government company, any assets, books of account, registers or other documents in his possession, custody or control relating to the Ganesh Flour Mills ; or

(f) wrongfully removes or destroys any property forming part of the Ganesh Flour Mills or prefers any claim under this Ordinance which be knows or has reason to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

24. *Offences by companies.* — (1) Where an offence under this Ordinance has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this subsection shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due deligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub section (1), where any offence under this Ordinance has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

25. *Protection of action taken in good faith*.—(1) No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer or other employee of that Government or the Custodian or the Government company or any person authorised by that Government or the Custodian or the Government company for anything which is in good faith done or intended to be done under this Ordinance.

(2) No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer or other employee of that Government or the Custodian or the Government company or any person authorised by that Government or the Custodian or Government company for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Ordinance.

26. *Delegation of powers*.—(1) The Central Government may, by notification, direct that all or any of the powers exercisable by it under this Ordinance, other than the powers conferred by this section, sections 27 and 28, may also be exercised by such person or persons as may be specified in the notification.

(2) Whenever any delegation of power is made under subsection (1), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.

27. *Power to make rules*.—(1) The Central Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the time within which, and the manner in which, any intimation referred to in subsection (3) of section 4 shall be given;

(b) the form and manner in which, and the conditions under which, the Custodian or Custodians shall maintain accounts as required by subsection (4) of section 8;

(c) the manner in which the monies in any provident fund or other fund, referred to in subsection (2) of section 13 shall be dealt with;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if,

before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

28. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order, not inconsistent with the provisions of this Ordinance, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

THE SCHEDULE

(*See* section 16)

ORDER OF PRIORITIES FOR THE DISCHARGE OF LIABILITIES OF THE COMPANY

Category I—

(a) Wages, salaries and other dues payable to the employees of the Company.

(b) Deductions made from the salaries and wages of the employees for provident fund, Employees State Insurance Fund, contribution premium relating to Life Insurance Corporation of India or for any other purposes.

Category II—

Secured loans.

Category III—

Revenue, taxes, cesses, rates or other dues to the Central Government, a State Government, a local authority or a State Electricity Board.

Category IV—

Any other loans or dues.

ZAIL SINGH,
President.

Kerala Gazette No. 18 dated 1st May 1984.
PART I **Section Iv**



GOVERNMENT OF KERALA

General Administration (Rules) Department

NOTIFICATION

G. O. (P) No. 94/84/GAD. *Dated, Trivandrum, 22nd March* 1984.

S. R. O No. 410/84.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following amendments to the Special Rules for the Kerala Last Grade Service published under notification G.O.(P) No. 82. Public (Rules) Department dated the 8th March, 1966, in Part I of the Kerala Gazette No. 14 dated the 5th April, 1966, as subsequently amended, namely:—

AMENDMENTS

In the said rules,—

1. in rule 1,—

(a) in category 1—

(i) after item (a), the following item shall be inserted, namely:—

"(aa) Matron and Nursing Assistant, Balamandir, Kozhikode.";

(ii) in item (b), for the word "Guard", the following shall be substituted, namely:—

"Guard (in Departments other than Jails Department)";

(b) in category 2,—

(i) after item (f), the following item shall be inserted, namely:—

"(ff) Unskilled worker in the Public Health Engineering Department.";

(ii) after item (i), the following item shall be inserted, namely:—

"(ii) Messenger in the Forest Department.";

(iii) after item (k), the following Note shall be inserted, namely:—

"*Note*—The term "Watcher" includes "Watchman" also.";

(c) in category 3, for items (e) and (f), the following items shall be substituted, namely:—

"(e) Tailor, Maistry and Electrical Lascar in the Health Services Department.

(f) Warder Attendants and Guards in the Jails Department.";

(d) in category 4,—

(i) for item (k), the following items shall be substituted, namely:—

"(k) Lady Attendant, Male Sick Room Attender and Female Sick Room Attender in the Collegiate Education Department.";

(ii) for item (n), the following items shall be substituted, namely:—

"(n) Hospital Attendant Grade II and Bottle Cleaner in the Health Services Department.

(nn) Bottle Cleaner in the Medical Colleges.";

(iii) after item (u), the following item shall be inserted, namely:—

"(v) Tank Attender in the Fisheries Department.";

(e) after category 4 and before the Note thereunder, the following category shall be inserted, namely:—

"*Category* 5:

(a) Peon, Waiter, Watcher, Roomboy and Lascar in the Kerala House, New Delhi.

(b) Peon in the Lottery Offices at New Delhi and Calcutta.";

2. in rule 3, after the figure "4", the figure "9" shall be inserted;

3. in rule 5,—

in sub-rule (a)—

(a) under category 1, after item (iii) of clause

(b) the following Note shall be inserted, namely:—

"*Note*—The post of Ayah in the Day care Centres and Welfare Institutions under the Department of Social Welfare and in the Nursery Schools under the Department of Harijan Welfare shall be reserved exclusively for women candidates.";

(b) under "Category 3",—

(i) in clause (a), after the brackets and words "(Secretariat Stores Branch)", the words "and Guards in the Jails Department" shall be inserted;

(ii) after clause (b), the following clause shall be inserted, namely:—

"(c) Guards, Jails Department—By direct recruitment.";

(c) under category 4, after item (iii), the following Note shall be inserted, namely:—

"*Note*.—Only Part-time barbers and Part-time cooks will be eligible for appointment by promotion as barbers and cooks respectively in the various Departments.";

(d after the entries under category 4, the following shall be inserted, namely:—

"*Category* 5:

By direct recruitment though local employment exchanges.";

(e) the following Note shall be added at the end, namely:—

"*Note.*—Female candidates shall not be eligible for promotion to the posts in the Armed Reserves, Armed Battalions and Police Training Institutions, in the Police Department. In Women's Hostels attached to the Polytechnics and Engineering Colleges only female candidates shall be posted as Cooks." ;

4. rule 6 shall be omitted.

5. in rule 8, in the Table in sub-rule (b)—

(i) after the item "Head Gardener in the Government Secretariat" in column (1) and the entries against it in column (2), the following items and entries shall be inserted, namely:—

"Matron, Balamandir, Kozhikode — (1) A pass in Standard VII or its equivalent qualification
(2) Must possess good physique.

Nursing Assistant, Balamandir, Kozhikode — Pass in S.S.L.C. or its equivalent.";

(ii) after the item "Mochee" in column (1) and the entries against it in column (2), the following item and entries shall be inserted, namely:—

"Watchman/ Chowkidar in the Secretariat — (1) Literacy in Malayalam, Tamil or Kannada
(2) Physical fitness:—
(a) Height—165 cms. for Scheduled Castes/Scheduled Tribes—160 cms.
(b) Chest—81 cms. on expiration with minimum expansion of 4 cms.
(c) Eye sight

	Distant vision	*Near vision*
Right eye	6/6 snellen	0.5 snellen
Left eye	6/6 snellen	0.5 snellen";

(iii) after the item "Maistry, Health Services Department" in column (1) and the entries against it in column (2), the following item and entries shall be inserted, namely:—

"Electrical Lascar, Health Services Department — 1. A pass in Standard VII or equivalent.
2. M. G.T.E./K.G.T.E. in Electrial Light and Power." ;

(iv) after the item "Warder Attendant, Jails Department" in column (1) and the entries against it in column (2), the following item and entries shall be inserted, namely:—

"Guards, Jails Department	1. Pass in VII Standard or equivalent qualification 2. Physical fitness:— Height—165 cms. Chest (normal)—81.3 cms. Chest (on expansion)—86.4 cms. ";

(v) after the item "Butcher, Public Health Laboratory" in column (1) and the entries against it in column (2), the following items and entries shall be inserted, namely:—

	For direct recruitment:—
"Cook-cum-Watchman in the Forest Department	1. Must have studied upto VII Standard or its equivalent 2. One year's experience in cooking and catering (both non-vegetarian and vegetarian diets) in Government Hotels like 'Aranyanivas' or any first class Hotel. 3. Must be perfectly healthy and free from contageous diseases (to be proved by a Medical Certificate issued by a Medical Officer not below the rank of Assistant Surgeon.)
Peon, Waiter, Watcher, Roomboy and Lascar in the Kerala House, New Delhi.	1. Ability to read and write Malayalam or Tamil or Kannada or Hindi 2. Ability to converse in Malayalam.
Peon in the Lottery Office, New Delhi.	Must be able to read and write Malayalam or Tamil or Kannada or Hindi.
Peon in the Lottery Office, Calcutta.	Must be able to read and write Malayalam or Tamil or Kannada or Bengali. ";

(vi) after clause (4) of the Notes, the following clause shall be added, namely:—

"(5) Only Ex-servicemen with excellent record of service shall be appointed to the post of Watchman/Night Watchman in the Fort Department.";

6. in-sub rule (d) of rule 17, the following Note shall be added at the end, namely:—

"*Note.*—The persons appointed as Peon in the Lottery Offices at New Delhi and Calcutta will not be eligible for transfer to another unit before completing five years of service in the respective station.";

7. rule 18 shall be omitted.

By order of the Governor

M. DANDAPANI,

Commissioner and Secretary to Government.

Explanatory Note

(This note does not form part of the notification, but is intended to indicate its general purport.)

Certain amendments have become necessary to the Special Rules for the Kerala Last Grade Service for the following reasons:—

(1) To include certain posts in the Last Grade Service.

(2) To specify that the term "Watcher" will include "Watchman" also.

(3) To include the post of Guard in the Jails Department in the Special Rules and to prescribe qualifications and method of appointment to the post.

(4) To give statutory validity to the orders issued in G.O. (P) No. 355/76/PD dated 9-10-1976 for the reservation of the post of Lady Attendant in the Collegiate Education Department for appointment from among part-time contingent employees by promotion.

(5) To treat the posts of Peon, Waiter, Watcher, Roomboy and Lascar in the Kerala House, New Delhi and the posts of Peons in the Lottery Offices at New Delhi and Calcutta as separate categories not inter-changeable with similar posts and to prescribe qualifications for these posts.

(6) To make applicable General Rule 9 of the Kerala State and Subordinate Services Rules to the Special Rules for the Kerala Last Grade Service to ensure uniformity regarding limitation of the period of temporary appointment of Government Servants.

(7) To reserve the post of Ayah in the Day Care Centres and Welfare Institutions under the Department of Social Welfare and in the Nursery Schools under the Harijan Welfare Department exclusively for women candidates.

(8) To give statutory validity to the orders issued in G. O. (P) No. 227/76/PD dated 15-7-1976 that the posts of Cooks and Barbers will be reserved for promotion of part-time cooks and part-time barbers.

(9) To exclude women candidates for appointment to full-time posts in the Armed Reserves, Armed Battalions and Police Training Institutions and to give statutory validity to the orders issued in G. O. (P) No. 355/76/PD dated 9-10-1976, that only females will be posted as Cooks in Women's hostels attached to Polytechnics and Engineering Colleges.

(10) To prescribe physical measurements for the post of Watchman and Chowkidars in the Secretariat similar to that of Police Constables.

(11) To prescribe qualifications for the post of Gook-cum-Watchman in the Forest Department for direct recruitment.

(12) To provide that only Ex-Serviceman shall be appointed to the post of Watchman/Night Watchman in the Port Department.

(13) To delete Rule 18 of the Special Rules which contains the rules governing appointment of Peons for attendance on Ministers in view of the amendments issued to the Special Rules for the Personal Staff of Ministers in G.O. (P) No. 158/76/PD dated 29-5-1976.

This notification is intended to achieve the above objects.

To

All Heads of Departments and Offices.
All Departments of the Secretariat (all Sections).
The Secretary, Kerala Public Service Gommission (with C. L.)
The Registrar, University of Kerala, Trivandrum. ,,
The Registrar, University of Gochin, Gochin. ,,
The Registrar, University of Galicut, Galicut. ,,
The Registrar, Gandhiji University, Kottayam. ,,
The Registrar, Kerala Agricultural University, Trichur. ,,
The Registrar, Kerala High Court, Ernakulam ,,
The General Manager, Kerala State Road Transport Gorporation, Trivandrum. ,,
The Secretary, Kerala State Electricity Board, Trivandrum ,,
The Commissioners & Secretaries, Secretaries, Special Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Secretary to Governor, Trivandrum.
The Private Secretaries to the Ghief Minister, Deputy Ghief Minister and other Ministers.
The General Administration (SC), (Services-B), (Services-C) and (Services-G) Departments.
The Under Secretary to the Chief Secretary.
All Recognised Service Associations.

GOVERNMENT OF KERALA

Home (B) Department

NOTIFICATION

G. O. Ms. No. 36/84/Home. *Dated, Trivandrum, 27th March* 1984.

S. R. O. No. 411/84.—In exercise of the powers conferred by section 59 of the Travancore-Cochin Prisons Act, 1950 (XVIII of 1950), and section 59 of the Prisons Act, 1894 (Central Act IX of 1894), the Government of Kerala hereby make the following rules further to amend the Kerala Prisons Rules, 1958, namely:—

RULES

1. *Short title.*—These rules may be called the Kerala Prisons (Amendment) Rules, 1984.

2. *Amendment of the rules.*—In the Kerala Prisons Rules, 1958;

I. In rule 340, under the heading "C C class Prisoners I", under the sub heading "*Scale of Diet per Head per Day*", for the figures and letter "70 g." against the item "Mutton", the figures and letter "71 G." shall be substituted.

II. After Rules 550, the following shall be inserted as Rule 550 A, namely :—

"There shall be sentries in the Watch Tower for watch duty round-the clock. Four Warders shall be posted on duty at the Watch-Tower on each day. They shall each be on sentry duty at the Watch tower by turn for continuous spells of three hours each, with a rest for three hours in between. A separate duty book shall be maintained solely for the Watch Tower. All those posted on Sentry duty at the tower shall sign that book at the time of taking over duty and relief from duty on that day. The tower sentry Book will be kept for inspection in the Tower itself. The Tower Sentry will be responsible for closing the trap door and fastening it from above, everytime they take over charge of duty".

By order of the Governor,

N. KALEESWARAN,

Commissioner & Secretary to Government,

Explanatory Note

(This is not part of the notification but is intended to explain its purport).

I. Presently the rate of issue of mutton including bones to the 'C' class prisoners in the Sub Jails and in the Central Prisons are at the different rates of 71 grams and 70 grams per head, respectively. This has been found to be an apparent mistake that crept in while effecting conversion to the metric system of weight in the Kerala Sub Jail Rules and the Kerala Prisons Rules. This anomaly has to be set right by bringing in uniformity in the matter of issue of the item to prisoners in the Jails of the State. Hence this amendment.

II. In G. O. (Rt. 2312/77/Home dated 3-11-1977 Shri K. C. Sankara Narayanan was appointed to conduct an enquiry into the violent demonstration by convicts at the Central Prison, Trivandrum that took place on the same day and to submit a report to Government fixing responsibility of the officers concerned to the extend of lapses of their part in maintaining security as also to suggest steps to be taken to prevent the recurrence of such incidents in future. One of the remedial measures suggested by the above officer in his report submitted to Government is the posting of sentries in the Watch Tower of the Central Prison round the clock. The amendment suggested to the Kerala Prisons Rules is to achieve the above purpose.

GOVERNMENT OF KERALA

Agriculture (Forest Miscellaneous) Department

NOTIFICATION

No. 87025/FM3/83/AD. *Dated, Trivandrum,* 31*st March* 1984.

S.R.O. No. 412/84.—In exercise of the powers conferred by section 55 of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972), and in supersession of the Notification No. 27348/FM3/82/AD dated the 17th August, 1983 published as S. R. O. No. 1087/83 in the Kerala Gazette No. 55 dated the 6th September, 1983, the Government of Kerala hereby authorise the Sub Inspector of Police, Mattancherry to file complaint before the Court of the Judicial Magistrate of the First Class-II, Ernakulam about the commission of offences against the said Act detected as a result of the search of House No. 897 in Division No. 27 of the Corporation of Cochin and seizure of various articles including forest produce therefrom.

By order of the Governor,

S. GOPALAN,

Agricultural Production Commissioner and Secretary to Government (Agriculture & Forests).

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Section 55 of the Wild Life (Protection) Act, 1972, lays down that no Court shall take cognizance of any offence under the said Act except on the complaint of the Chief Wild Life Warden or such other officer as the State Government may authorise in that behalf. By virtue of the above provisions in the Act, Government in Notification No. 27348/FM3/82/AD dated 17-8-1983 authorised Sri T. Joseph, Detective Inspector, Crime Branch C. I. D., Alwaye to file complaint before the Court of the Judicial Magistrate of the First Class-II, Ernakulam, about the commission of offences against the said Act detected as a result of the search of House No. 897 in Division No. 27 of the Corporation of Cochin and the seizure of various articles including forest produce therefrom. The Chief Conservator of Forests (Vigilance) has since reported to

Government that as the Officer who was authorised to conduct the prosecution, retired from service, the case could not be charged in the Court. The Chief Conservator of Forests (Vigilance) is of the view that much importance need not be given by the name of the Officer but his designation alone will be enough to carry on the prosecution. It is considered necessary to authorise the Sub Inspector of Police, Mattancherry to file complaints under section 55 of the said Act before the Judicial First Class Magistrate Court II, Ernakulam. The Notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Agriculture(Forest General)Department

NOTIFICATION

G. O.(MS)No. 109/84/AD. *Dated, Trivandrum, 7th April* 1984.

S.R.O. No 414/84.—In exercise of the powers conferred by sections 39,40 and 76 of the Kerala Forest Act. 1961 (4 of 1962) the Government of Kerala hereby make the following rules further to amend the Kerala Forest produce Transit Rules 1975, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Forest Produce Transit (Amendment) Rules, 1984.

(2) They shall come into force at once.

2. *Amendment of Rule* 4—In the Kerala Forest produce Transit Rules, 1975, in the first proviso to clause (a) of sub-rule (4) of rule 4, the word "Anjily" shall be inserted between the words "mettupunna" and "vaha species".

By order of the Governor,

S. GOPALAN,
Agricultural Production Commissioner and Secretary, (Forest).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per the original rule 4 (4) (a) of the Kerala Forest Produce Transit Rules, 1975, there was no restriction and the removal of anjily from private lands. But by the amendment made in the Rules by the Kerala Forest Produce Transit (Amendment) Rules 1981 Anjily was also included in the Kinds of timber for the removal of which pass was required. This step was taken with the intention of curbing illicit collection and removal of anjily from reserve forests. This has caused undue hardship to the public. This step also has not helped to curb fully the illicit collection and removal. Hence Government have decided to withdraw the restriction on the removal of anjily, considering the requests received from various quarters. This notification is issued to achieve the above object.

GOVERNMENT OF KERALA

Agriculture (Co-operation) Department

NOTIFICATION

No. 81174/C3/83/AD. *Dated, Trivandram, 3rd April* 1984.

S. R. O. No. **413/84.**—In exercise of the powers conferred by sub-section (1) of section 40 of Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby make the following amendment to the notification issued under G. O. Ms. 795/60/ Agri. dated the 8th October, 1960 and published as S. R. O. No. 75/60 in the Kerala Gazette No. 41 dated the 18th October, 1960.

AMENDMENT

In the said notification, in clause (d) after the words the president or Secretary,' the words 'or the Managing Director' shall be inserted.

By order of the Governor,
M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

Explanatory note

(This does not form part of the notification but is intended to indicate its general purport)

In the Farmers Service Co-operative Banks the Chief Executives are designated as 'Managing Directors' and they have been made competent to apply for encumbrance certificates and avail the concession ordered as per clause (d). The amendment is intended for that purpose.

GOVERNMENT OF KERALA

Agriculture (Co-operation—C) Department

NOTIFICATION

No. 71382/CC3/83/AD. *Dated, Trivandrum, 27th March* 1984.

S.R.O. No. 415/84 —Whereas under clause (d) of sub-rule (1) of rule 44 of the Kerala Co-operative Societies Rules, 1969 (hereinafter referred to as the said rules), no member of the society shall be eligible for being elected or appointed as a member of the committee of the society under section 28 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), if he is interested directly or indirectly in any contract made by the society privately or in any auction or in any transaction of the society other than investment and borrowing involving financial interest, if the contract or transaction is subsisting or if the contract, sale, purchase or transaction be not completed;

And whereas, under clause (a) of sub-rule (2) of rule 44 of the said rules, a member of the committee of a society shall cease to hold office as such if he becomes disqualified under sub-rule (1) of the said rule 44;

And whereas, under clause (b) of sub-rule (1) of rule 50 of the said rules, no officer of a Co-operative Society shall have an interest, directly or indirectly otherwise than as such officer in any property sold or purchased by the society;

And whereas, the Konni, Marketing Co-operative Society Limited No. Q 434, Konni, Quilon District purchased 15 cents of land in Sy. No. 385/3.4 of Konni Village, Pathanamthitta Taluk belonging to Sri K. G. Varghese and 4 others;

And whereas Sri K. G. Varghese is member and Chairman of the committee of the said society and the purchase of the property owned by Shri K. G. Varghese by the said society will attract the provisions in clause (d) of sub-rule (1) read with clause (a) of sub-rule (2) of rule 44 and clause (b) of sub-rule (1) of rule 50 of the said rules;

And whereas the said society has requested Government to exempt it from the provisions of clause(d) of sub-rule (1) and clause (a)of sub-rule (2) of Rule 44 and from the provisions of clause (b) of sub-rule (1) of rule 50 of the said rules, to enable it to purchase the said land without Sri K.G. Varghese being disqualified to continue as member and Chairman of the Committee of the said society;

And whereas, the Government consider it necessary in the public interest to exempt the Konni Marketing Co-operative Society Limited No. Q 434, Konni from clause (d) of sub-rule (1) and clause (a) of sub-rule (2) of rule

44 and from clause (b) of sub-rule (1) of rule 50 of the said rules for the purpose of enabling it to purchase the said land without Sri K. G. Varghese being disqualified to continue as member and Chairman of the committee of the said society;

Now, therefore, in exercise of the powers conferred by rule 181 of the Kerala Co-operative Societies Rules, 1969, the Government of Kerala hereby exempt the Konni Marketing Co-operative Society Limited No. Q 434, Konni from the provisions of clause (d) of sub-rule (1) and clause (a) of sub-rule (2) of rule 44 and from the provisions of clause (b) of sub-rule (1) of rule 50 of the said rules for the limited purpose of enabling the said society to purchase the land belonging to Sri K. G. Varghese without Sri K. G. Varghese being disqualified to continue as member and Chairman of the committee of the said society.

By order of the Governor,
M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The Konni Marketing Co-operative Society Limited No. Q. 434, Konni has purchased 15 cents of land in Survey No. 385/3.4 of Konni Village, Pathanamthitta Taluk belonging to Sri K. G.Varghese, Chairman of the society and 4 others. The purchase of land owned by the Member of the Managing Committee is against Rule 44(1) (d) and 50(b) of the Kerala Co-operative Societies Rules, 1969. Government have decided that the above provisions shall not apply to the said society so as to enable the purchase of the said land belonging to Sri K. G. Varhgese and 4 others, by invoking the provisions under Rule 181 of Kerala Co-operative Societies Rules, 1969.

This notification is intended to achieve this purpose.

Kerala Gazette No. 18 dated 1st May 1984.
PART I Section iv



GOVERNMENT OF KERALA

Abstract

RULES—KERALA TREASURY CODE VOLUME I—AMENDMENT TO RULE 272, 277, 280, 285, 286, 298 AND RULE 299 (A) KERALA TREASURY CODE VOLUME I

FINANCE (S.L.) DEPARTMENT

G. O. (P) No. 177/84/Fin. Dated, Trivandrum, 26th March 1984.

Read: —1. U. O. Note No. 29377/Pen. B1/82/Fin. dated 26-7-1982 from the Finance (Pension) Department.

2. Letter No. Co-ord. VI/17-46/119/2279 dated 7-12-1983 from the Accountant General, Kerala.

NOTIFICATION

S. R. O. No. 416/84.—In exercise of the powers conferred by clause (2) of article 283 of the Constitution of India, the Governor of Kerala hereby makes the following rules further to amend the Kerala Treasury Rules, namely:—

RULES

C. S. No. 4/84/Fin. *Dated, Trivandrum, 26th March* 1984.

1. *Short title and commencement.*—(1) These rules may be called the Kerala Treasury (Amendment) Rules, 1984 (2) They shall come into force at once.

2. *Amendment of the rules.*—In the Kerala Treasury Rules, (1) in rule 272, sub-rule (a) shall be relettered as sub-rule (aa) and before the sub rule (a) as so relettered, the following subrule shall be inserted, namely:—

"(a) All pensions due for a month and payable from the consolidated fund of the State shall be paid from the first working day of the same month"

(2) in rule 277, in the first sentence, for the words "last day", the words "first working day" shall be inserted;

(3) in rule 280, in sub rule (a) in the second paragraph, the words "December due in", shall be omitted;

(4) in rule 285, in the last sentence for the words "on the last day of the period", the words "on the first day of the month" shall be substituted;

(5) in rule 286, in sub rule (VII), for the second sentence the following sentence shall be substituted, namely:—
"Such life certificate shall be produced in the month of December once in every three years failing which the payment of pension for the month of January, as also the pension for the subsequent months shall be held up until the certificate is received";

(6) for rule 298, the following rule shall be substituted, namely:—
"288 A Pension shall be payable till the last day of the month in which the death of the pensioner takes place. Payment of family pension if any, payable in such cases shall commence from the first day of the month following the month in which the death of the pensioner takes place.

(7) in rule 299, in sub-rule (a), for the first sentence, the following sentence shall be substituted, namely:—
"In cases where pension could not be drawn on the date specified in subrule (a) of rule 272 and the pensioner dies leaving an arrears, the disbursing officer may pay such arrears to the pensioner's heir or heirs, provided that they apply for the purpose within one year of the date of death of the pensioner (see rule 295 (b) above and rule 169 (a) of Part III of the Kerala Service Rules)".

By order of the Governor,
P. SAHADEVAN,
Additional Secretary (Fin.).

Explanatory Note

(This note is not part of the notification, but it is intended to indicate its general purport)

Government in order No. G.O. (P) 562/81/Fin. dated 31-8-1981 have ordered for the payment of all Civil Pensions due for a month from the 1st working day of the same month. Necessary provision for the purpose has to be incorporated in the Kerala Treasury Code Volume I.

Hence the amendments.

To

The Accountant General (A & E), Kerala, Trivandrum.
The Accountant General (Audit), Kerala, Trivandrum.
The Director of Treasuries, Trivandrum.
All Heads of Departments and Offices
All Departments (all sections) of the Secretariat.
The Secretary, Kerala Public Service Commission (with C.L.)
The Registrar, High Court of Kerala, Ernakulam ,,
The Registrars, Universities of Kerala, Calicut, Cochin (with C.L.)
The Registrar, Kerala Agricultural University, Trichur (with C. L.)
The Advocate General, Ernakulam (with C.L.)
The Secretary, Kerala State Electricity Board, Trivandrum (with C.L.)
The General Manager, Kerala State Road Transport Corporation, Trivandrum (with C. L.)
The Secretary to Governor (with C. L.)
All Private Secretaries to the Chief Minister and other Ministers.
The Private Secretary to the Leader of Opposition.
The Stenographers to the Chief Secretary and additional Chief Secretaries.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. (Ms.) No. 59/84/H. Edn. *Dated, Trivandrum, 26th March* 1984.

S.R.O. No. 417/84.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Smt. Rajamma Kunjamma Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1001 (Rupees one thousand and one only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress, Government High School, Ayaparampu, Alleppey District shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilized during the succeeding year for awarding a prize in kind to a student of Government High School, Ayaparampu who has passed the S. S. L. C. Examination during the previous year in the first attempt securing the highest number of marks in the Science subjects (Physics, Chemistry and Biology).

6. The prizes shall be awarded on the occasion of the School day celebration or in any other occasion in the academic year as decided by the Administrator.

7. If, in any year, two or more pupils secure the same number of highest marks, then the amount shall be equally divided among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prizes not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance left after awarding the prize, such amount shall be added on to the corpus of the Fund by the Treasurer of Charitable Endowments, unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If, any doubt or dispute arises regarding the meaning or interpretation of the scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of Property*
(1)	(2)
"Smt. Rajammakunjamma Endowment Fund".	Rs. 1,001 (Rupees One thousand and one only)

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The members of the Staff of Government High School, Ayaparampu wishes to institute an Endowment in the name of Smt. Rajamma Kunjamma retired Headmistress of the School. A preliminary notification regarding this has been published in the Gazette dated the 31st January, 1984. Now the Government have accepted the Endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 62/84/H. Edn. *Dated, Trivandrum, 27th March* 1984.

S. R. O. No. 418/84.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, in part I of the Kerala Gazette No. 5 dated the 31st January, 1984 and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Shri L. Sivathanu Pillai Endowment".

2. The corpus of the Endowment shall consist of Rs. 3,000 (Rupees Three thousand only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India of the Government of Kerala.

4. The Principal Women's Polytechnic, Trivandrum shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding prizes in cash or as medals or in any other form as decided by the Administrator to the final year students securing the highest number of marks in the first appearance in the previous year in Government Examinations in each Diploma course conducted in the Women's Polytechnic in the Kerala State.

6. The prize shall be awarded on the annual day Celebrations of the institutions or on any other suitable occasion as decided by the Administrator with the approval of the Director or Technical Education.

7. If in any Diploma Course more than one student is found eligible for the prizes by securing the same number of highest marks, then the amount shall be equally divided among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than one month before the date fixed for the award of the prizes and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, in any year, the interest is not utilised as provided in clause 5 or if the prizes are not awarded owing to the non-availability of suitable candidates or for any other reason, or any balance is left after awarding the prizes, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments, unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the Controlling Authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Technical Education whose decision thereon shall be final.

SCHEDULE

Name of Endowment	Details of Property
(1)	(2)
"Shri Sivathanu Pillai Endowment".	Rs. 3,000 (Rupees Three thousand only).

By order of the Governor,
A. RAMASWAMY PILLAI,
Joint Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Director of Technical Education has requested to institute an Endowment in the name of Shri L. Sivathanu Pillai, Retired Principal, Women's Polytechnic, Trivandrum. A preliminary notification regarding this has been published in the Government Gazette dated the 31st January, 1984. Now, Government have accepted the Endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 58/84/H.Edn. *Dated, Trivandrum, 26th March* 1984.

S. R. O. No. 419/84.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall, be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, in Part I of the Kerala Gazette No. 45 dated the 15th November, 1983 and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "C. R. Ramakurup Memorial Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1000 (Rupees one thousand only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress, Government High School, Kadirur, Tellicherry shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize in kind of student of Government High School, Kadirur, Tellicherry, who has passed the S.S.L.C. Examination during the previous year in the first attempt by securing the highest number of marks in Hindi.

6. The prize shall be awarded on the occasion of the School Day Celebration or in any other occasion in the academic year as decided by the Administrator.

7. If, in any year, two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes in kind shall be awarded accordingly to all of them.

G. 475.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or if any balance is left after awarding the prize, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of property*
(1)	(2)
"C. R. Ramakurup Memorial Endowment Fund".	Rs. 1000 (Rupees one thousand only)

By order of the Governor,
A. RAMASWAMY PILLAI,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Shri Ayilliath Padmanabhan Nambiar, I.A.S., Managing Director, the Kerala State Co-operative Consumers Federation Limited, Ernakulam has forwarded a scheme for instituting an Endowment in the Government High School, Kadirur in memory of his brother-in-law. A Preliminary notification regarding this has been published in the Gazette dated, the 15th November, 1983. Now Government have accepted the Endowment for institution and hence this notification.

Kerala Gazette No. 18 dated 1st May 1984.
PART I

Section Iv

GOVERNMENT OF KERALA

Taxes (B) Department

NOTIFICATION

G.O. MS No. 57/84/TD. *Dated, Trivandrum, 29th March* 1984.

S.R.O.No. 426/84.—In exercise of the powers conferred by section 10 of the Kerala General Sales Tax Act, 1963 (15 of 1963), the Government of Kerala having cosidered it necessary in the public interest so to do, hereby make an exemption in respect of the tax payable under the said Act, on the sale of human hair waste.

By order of the Governor,
U. MAHABALA RAO,
Commissioner and Secretary to Government
(Taxes Department.)

Explanatory Note

(This does not form part of the notification but is intended to indicate the general purport).

The South Indian Human Hair Exporters and Dealers Association, Eluru, Andhra Pradesh has represented to the Government of Kerala that human hair waste/barber cuttings is gathered by poor sections in the society and the same is procured and exported to other foreign countries. The incidences of tax on this item will affect its free movement as the people engaged in the collection and supply of the commodity to the exporters are poor people who may not be registered dealers. The Association has accordingly requested o exempt the commodity from tax. Hair waste has no demand in the ocal market. The export of this item to foreign countries is helpful to a arge number of people in the lower strata of society who earn their livelihood by collecting and selling this commodity. The Government therefore consider that human hair waste has to be exempted from levy of tax. The notification is intended to achieve this object.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATION

G.O. (Ms.) No. 101/84/LA&SWD. *Dated, Trivandrum, 10th April* 1984.

S. R. O. No 422/84.—In exercise of the powers conferred by sub-section (1) of section 142 of the Kerala Panchayats Act, 1960 (32 of 1960), and at the request of the Porathissery Panchayat contained in its resolution No. 234/83 dated the 26th July, 1983, the Government of Kerala hereby declare that the provisions of the Law relating to the Municipalities, mentioned in the Schedule below, shall be extended to, and be in force, in Porathissery Panchayat area in Trichur District, with effect from 15-5-1984.

SCHEDULE

Clauses (3), (4), (16), (28), (30), (33) and (39) of section 3, Provisions of Chapters IX and X, sections 347, 349, 350, 352, 355, 363, 364 and 365 in so far as they relate to matters specified in Chapters IX and X of the Kerala Municipalities Act, 1960 (14 of 1961), and the provisions regarding penalties specified in Schedules V and VI of the said Act for the contravension of the sections 196, 197, 202, 204, 205, 207, 209 to 213, 215, 216, 218 to 221, 223 to 227 and 245 thereof, and the Kerala Municipal Building Rules, 1968.

By order of the Governor,
V. R. PADMANABHAN,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Porathissery Panchayat in Trichur District has requested to enforce certain provisions of the Kerala Municipal Act, 1960 and Municipal Building Rules, 1968 to its area. The Director of Panchayats in consultation with the Chief Town Planner has recommended the request of the Panchayat. In view of the same Government are pleased to accept the proposal.

This notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATION

G.O. (Ms.) No. 100/84/LA&SWD. *Dated, Trivandram, 10th April* 1984.

S. R. O. No 423/84.—In exercise of powers conferred by sub-section (1) of Section 142 of the Kerala Panchayats Act, 1960 (32 of 1960), and at the request of the N a d a p u r a m Panchayat contained in its resolution No. 122/83-84 dated the 19th August, 1983, the Government of Kerala hereby declare that the provisions of the law relating to municipalities mentioned in the Schedule below, shall be extended to, and be in force, in the Nadapuram Panchayat area in Kozhikode District with effect from 15-5-1984.

SCHEDULE

Clauses (3), (4), (16) (28), (30), (33) and (39) of section 3, provisions of Chapters IX and X, sections 347, 349. 350, 355, 359 and 363 to 365 in so far as they relate to matters specified in Chapters IX and X of the Kerala Municipalities Act, 1960 (14 of 1961) and the provisions regarding penalties specified in Schedules V and VI of the said Act for contravension of sections 196, 197, 202, 204, 205, 207, 209 to 213, 215, 216, 218, 221, 224 and 245 thereof and the Kerala Municipal Building Rules, 1968.

By order of the Governor,
V. R. PADMANABHAN,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Nadapuram Panchayat in Kozhikode District had already enforced the provisions contained in Chapters IX and X of the Madras District Municipalities Act, 1920. Now the Panchayat consider better to enforce the provisions of the Kerala Municipalities Act regarding the building regulations. The Director of Panchayats has recommended the request of the Panchayat. Government are pleased to accept the proposal and this notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Taxes (B) Department

NOTIFICATIONS

(1)

G. O. (Ms) No. 50/84/TD. *Dated, Trivandrum, 24th March* 1984.

S.R.O. No. 424/84.—In exercise of the powers conferred by Section 15 of the Agricultural Income tax Act, 1950 (XXII of 1950) and in supersession of Notification-I No. G.O. (Ms) 109/66/Rev. dated the 22nd February, 1966 published as S. R. O. No. 100/66 in Part I of the Kerala Gazette No. 10 dated the 8th March, 1966, the Government of Kerala hereby appoint the Officers mentioned below as Commissioners of Agricultural Income-tax, for the purpose of exercising the powers of the Commissioner under section 34 of the said Act, within the area specified against each in respect of cases where the total Agricultural Income does not exceed Rs. 75,000 a year, namely:—

1. Deputy Commissioner of Agricultural Income-tax and Salestax, South Zone, Quilon.	Within the Revenue Districts of Trivandrum, Quilon, Pathanamthitta and Alleppey
2. Deputy Commissioner of Agricultural Income-tax and Salestax, Central Zone, Ernakulam.	Within the Revenue Districts of Kottayam Idukki, Ernakulam and Trichur.
3. Deputy Commissioner of Agricultural Income-tax and Salestax, North Zone, Kozhikode.	Within the Revenue Districts of Palghat, Malappuram, Kozhikode, Wynad and Cannanore

Explanatory Note

(This is not part of the notification but is intended to indicate its general purport.)

In notification No. S. R. O. 100/66 dated 22-2-1966, the Government have appointed the officers mentioned thereunder also as Commissioner of Agricultural Income Tax for the purpose of exercising the powers of Commissioner under section 34 of the said Act within the area specified against each in respect of cases where the agricultural income does not exceed Rs. 20,000 a year. The above income limit fixed for Deputy Commissioners were raised to Rs. 40,000 and again to Rs. 75,000 as per notification issued

in G. O. (Ms) No. 94/72/TD dated 24-11-1972 and G. O. (Ms) No. 53/80/TD dated 18-7-1980 respectively. In all the above notifications the wording used is Agricultural Income ie. income before making deductions for expenditure and not the total agricultural income. The purpose of the notifications was to give powers to the Deputy Commissioners to exercise the powers of the Commissioner of Agricultural Income-Tax under section 34 of the Agricultural Income-Tax Act in respect of cases where the taxable income ie. total Agricultural Income does not exceed the prescribed limit. The notification is intended to achieve the above object.

(2)

G. O. (Ms.) No. 50/84/TD. *Dated, Trivandrum, 24th March* 1984.

S.R.O.No. 425/84.—In exercise of the powers conferred by subsections (2) and (3) of section 15 of the Agricultural income tax Act, 1950 (XXII of 1950), the Government of Kerala, hereby make the following amendment to their Notification-IV No. G. O. Ms. 806/Rev./61 dated the 30th August, 1961, published as S. R. O. No. 204/61 dated pages 22 to 36 of the Kerala Gazette Extraordinary No. 101 dated the 30th August, 1961, as subsequently amended, namely:—

AMENDMENT

In the Schedule to the said notification, for item I and the entries against it the following item and entries shall be substituted, namely:—

I.	Member, Board of Revenue in-charge of Agricultural Income-tax and Salestax.	The Commissioner of Agricultural Income-tax	All the powers of Commissioner of Agricultural Income-tax	Throughout the State of Kerala

Explanatory Note

(This is not part of the amendment but is intended to indicate its general purport.)

The above notification is to change the pecuniary jurisdiction of the Zonal Deputy Commissioner of Agricultural Income-Tax and Sales tax. As per the existing notification the Deputy Commissioners are given jurisdiction under section 34 of the Agricultural Income-Tax Act 1950 in respect of cases "where the Agricultural Income does not exceed Rs 75,000 a year". The second Member, Board of Revenue can now exercise the power of revision under section 34 of the Agricultural Income-Tax Act

in respect of cases where the Agricultural Income exceeds Rs. 75,000 a year. The jurisdiction of the Deputy Commissioners are changed from 'Agricultural Income' to 'total Agricultural Income' consequential amendment will be necessary in respect of the above jurisdiction of the Second Member, Board of Revenue. If the pecuniary jurisdiction of the Member, Board of Revenue in charge of Agricultural Income-Tax and Salestax is not so changed his jurisdiction will not cover the cases which may fall outside the jurisdiction of Zonal Deputy Commissioners and may cause a gap between the jurisdiction of Zonal Deputy Commissioners and of the Member, Board of Revenue in charge of Agricultural Income-tax and Sales-tax. The above amendment is to rectify the above disparity.

By order of the Governor,

U. MAHABALA RAO,

Commissioner and

Secretary to Government

Kerala Gazette No. 18 dated 1st May 1984.
PART I **Section iv**

GOVERNMENT OF KERALA

Labour (D) Department

NOTIFICATION

G. O. (Ms.) No. 26/84/LBR. *Dated, Trivandrum, 9th April* 1984.

S. R. O. No. 420/84.—In exercise of the powers conferred by section 4 of the Plantations Labour Act, 1951 (Central Act 69 of 1951) and in supersession of Notification G.O. Ms. No. 29/82/LBR. dated 14th September 1982, published as S. R.O. No. 1179/82 in Part I of Kerala Gazette No. 40 dated 12th October, 1982, the Government of Kerala hereby appoint Shri C. Narendran to be the Chief Inspector of Plantations for the State of Kerala and assign the whole State of Kerala as the local limit within which he may exercise the powers of an Inspector under the said Act.

By order of the Governor,
U. MAHABALA RAO,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

It is proposed to appoint Shri C. Narendran to be the Chief Inspector of Plantations under the Plantations Labour Act, 1951 (Central Act 69 of 1951), and to assign him jurisdiction over the whole State of Kerala within which he may exercise the powers of an Inspector under the Act. The necessity for issuing this Notification has arisen as Shri A.M. Chacko has been promoted to the cadre of Joint Labour Commissioner and Shri C. Narendran has been appointed as Chief Inspector of Plantations in his place. This Notification is intended for the above purpose.

GOVERNMENT OF KERALA

Taxes (F) Department

NOTIFICATION

G.O. (Rt) 270/84/TD. *Dated, Trivandrum, 31st March* 1984.

S. R. O. No. 427/84.—The Government of Kerala are hereby pleased to order the following amendmends to notification No. G.O.Rt. 1400 /69/RD dated the 30th September, 1969 published in the Kerala Gazette Extraordinary No. 240 dated the 30th September, 1969, as subsequenly amended, namely:—

AMENDMENTS

In the schedule to the said notification

(a) for serial numbers 2 and 3 in column (1) and the enrries against then in columns(2) to (7) the following shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)	(6)	(7)
2.	Quilon	Area covered by the circles mentioned in column-4.	1. Punalur	Area covered by the ranges mentioned in column 6	1. Pathanapuram	Pathanapuram Taluk
			2. Karunagappally	1. Karunagappally	1. Chawara 2. Panmana 3. Thevalakara 4. Thekumbhagom 5. Thodiyoor	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
					6. Thazhava	
					7. Aadinad	
					8. Karunagappally	
					9. Kulasekkarapuram	
					10. Perinad	
				2. Sasthamkottah	1. West Kallada	
					2. Sasthamkottah	
					3. Sooranadu South	
					4. Sooranadu North	
					5. Poruvazhy	
					6. Kunnathur	
					7. Pallickal	
					8. Mynagappally	
			3. Quilon		1. Quilon Range	Quilon Taluk Except the area covered by Chathannur Range.
					2. Chathannur Range	Mayyanad Meenad, Paravoor Kalluvathukal Adichanallur, Thricvilavattom Puthakulam, Nedumpana.
			4. Kottarakkara		1. Kottarakkara	Kottarakkara Taluk Except the area covered by Chadayamangalam Range.
					2. Chadayamangalam	Veliyam, Pooyappalli, Ummannur, Velinallur Elamod Chadayamangalam Ittiva, Kadakkal Chittara.

3.	Alleppey	do.	1. Alleppey	1. Alleppey	Ambalapuzha Taluk
				2. Chengannur	Chengannur Taluk.
			3. Haripad	1. Mavelikara	Mavelikara Taluk
				2. Karthigappally	Karthigappally Taluk except the areas covered by Kayamkulam Range.
				3. Kayamkulam	Pathiyoor, Keerikad, Kondallur, Muthukulam, Kayamkulam, Puthuppally.
			4. Kuttanad	1. Kuttanad	Kuttanad Taluk
			5. Sherthallai	1. Sherthallai	Sherthallai Taluk except the area covered by Kuthiathode Range.
				2. Kuthiathode	Mattathilbhagam, Panavalli, Thuravur North and South, Aroor, Manakodam East and West.
	Pathanamthitta	..	Pathanamthitta	1. Pathanamthitta	1. Pathanamthitta 2. Naranganam 3. Mullapuzhassery 4. Elanthur 5. Chenneerkara 6. Omalloor 7. Malayalapuzha 8. Thannethode 9. Kannithazhom

(1)	(2)	(3)	(4)	(5)	(6)	(7)
						10. Iravan
						11. Konni
						12. Pramadam
						13. Vallikode
						14. Aranmula
						15. Kidanganoor
						16. Mezhuveli
						17. Kulanada
					2. Ranni	1. Angadi
						2. Pazhavangadi
						3. Chethakkal
						4. Perinad
						5. Vadasserikara
						6. Chittar-Seethathode
						7. Ranni (Including North Pampavally and area around Sabarimala Sannidanam)
						8. Cherukole
						9. Ayroor
			Thiruvalla		1. Thiruvalla	1. Kizhakkumbhagam
						2. Kadapra
						3. Nedumpuram
						4. Peringara
						5. Kavumbhagam
						6. Thiruvalla
						7. Eraviperoor

			8. Thottapuzhasseri
			9. Koipuram
		2. Mallappally Range	1. Kalloopara
			2. Mallappally
			3. Anikad
			4. Kottangal
			5. Perumpatty
			6. Ezhamathur
			7. Kaviyoor
			8. Puramattam
	Adoor	Adoor Range	1. Koodal
			2. Enadimangalam
			3. Koduman
			4. Angadickal
			5. Adoor
			6. Ezhamkulam
			7. Erath
			8. Peringanadu
			9. Kadambanadu
			10. Pandalam Thekkekara
			11. Thonnallur

(b) for serial number 4A in column (1) and the entries against it in columns (2) to (7) the following shall be substituted, namely:—

4(a) Idukki	1. Peermade	1. Peermade	Peemade Taluk except the areas covered by Vandiperiyar Range.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
					2. Vandiperiyar	Periyar and Plappara Villages (Except North Pambavally and the area around Sabarimale Sannidanam) and Pambanar, Lakshmy Coil, Ranikoil, Karedikuzhy, Granbi, Mount Aranakkal, Manju. mala, Vandiperiyar, Pasumala, Mlamala, Thengakallu and Vellakadavu Karas of Peermade village.
					3. Kattapana	Ayyappankoil, Vandanmedu and Chakkupallam Villages and Upputhode, Vimalagiri, Mariyapuram, Chathikuzhy Pandipara, Kalvarimount, Vazhavara, Vellayamkudy Nathukallu, Kamakshy Neelyvayal, Prakash—Kuppachampady, Idukki areas Narakakkanam and Kattappana

		karas of Kalkumtha Village.
2. Munnar	1. Devikulam	Whole of Devikulam Taluk
	2. Udumbanchola	Udumbanchola Taluk except areas covered by Kattapana Range
	3. Adimaly	Vellathooval, Mannankandam and Pallivasal Villages except Pallivasal Lekshmi Estate premises and Pipelinekara.
3. Thodupuzha	1. Thodupuzha	Thodupuzha Taluk.

By order of the Governor,

U. Mahabala Rao,

Commissioner and Secretary to Government.